

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 7/16/2025
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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

LUIS TORRES,

Defendants.

1:20-cr-0220-MKV

SCHEDULING ORDER

MARY KAY VYSKOCIL, United States District Judge:

After receiving a Violation of Supervised Release Report, after extensive colloquy with Counsel for the Government and Mr. Torres and with Probation, the Court recently sentenced Mr. Torres to time served to be followed by a three-year term of supervised release with several conditions. Those conditions included the requirements that (1) Mr. Torres “live at and participate in an in-patient mental health and drug treatment facility” for “the first four months of supervised release” beginning at the Bronx Addiction Treatment Center (“Bronx ATC”) and (2) on or before July 2, 2025, Mr. Torres’s counsel, Mr. Moskowitz advise the Court whether the Bronx ATC determined whether Mr. Torres may remain there or that he should be transferred to another facility. Though these conditions were discussed at length at the sentencing hearing and explained clearly in the Court’s judgment, Mr. Torres and his counsel failed to comply with both conditions.

After July 2, 2025 had passed with no update from Mr. Moskowitz, the Court contacted all parties in the case. Mr. Moskowitz responded explaining that Mr. Torres had been transferred to an outpatient program without any acknowledgement that this course of action was in violation of the Court’s Judgment. Thereafter, the Court scheduled a status conference for July 16, 2025 at 10:00 a.m.

The July 16 conference began at 10:30 a.m. after Mr. Torres arrived nearly thirty minutes late. Probation Officer (“PO”) Riley also notified the Court that Mr. Torres had admitted that after

he had been released from Bronx ATC, he relapsed by using drugs. At today's conference, the Court admonished Mr. Moskowitz for failing to comply with the Court's Judgment and for failure to ensure that his client was in compliance. PO Riley notified the Court that he had contacted Samaritan Daytop Village, which had availability for Mr. Torres to commence in-patient treatment the following day. The Government also recommended that after completing his previously ordered in-patient drug and mental health treatment, Mr. Torres continue his recovery by entering a sober living facility. Mr. Torres, both personally and through Counsel consented. The Court discussed with the parties and Probation a plan for Mr. Torres's supervision. PO Riley confirmed that he can facilitate a further stay at a sober living facility (or half-way house) and during his stay, work with Mr. Torres to secure employment and new residence for time after his stay.

Accordingly, the Court made the following orders at the conference:

IT IS HEREBY ORDERED that tomorrow, on July 17, 2025, Mr. Torres shall appear at Samaritan Daytop Village on Van Wyck Expressway in Jamaica, Queens and to participate in intake and assessment.

IT IS FURTHER ORDERED that on the same day, Mr. Torres shall be transferred to his placement at the Samaritan Daytop Village in-patient treatment location to which he is assigned.

IT IS FURTHER ORDERED that Mr. Torres shall remain in in-patient treatment for three additional months, until October 17, 2025, in accordance with the Court's Judgment.

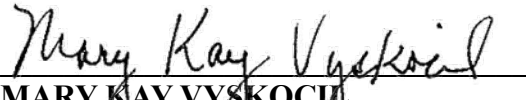
IT IS FURTHER ORDERED that on or before September 16, 2025, and after consultation with PO Riley, the parties shall submit a joint status report notifying the Court of their plan for Mr. Torres after he is released from in-patient treatment, attaching a proposed form to modify his conditions of supervised release as appropriate.

IT IS FURTHER ORDERED that in the interim Mr. Torres shall comply with all conditions of his supervised release.

IT IS FURTHER ORDERED that the parties shall order transcripts of today's hearing as well as the June 11, 2025 sentencing hearing and file each on the docket.

SO ORDERED.

Date: July 16, 2025
New York, NY


MARY KAY VYSKOCIL
United States District Judge